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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,475	09/28/2001	Takuya Okamoto	ASA-724-02	3236

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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.  
1800 DIAGONAL ROAD  
SUITE 370  
ALEXANDRIA, VA 22314

EXAMINER
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COLBERT, ELLA

ART UNIT	PAPER NUMBER
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3696

MAIL DATE	DELIVERY MODE
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05/06/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/964,475	<b>Applicant(s)</b> OKAMOTO ET AL.	
	<b>Examiner</b> Ella Colbert	<b>Art Unit</b> 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 34-41 and 46-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-41 and 46-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claim 34-41 and 46-48 are pending. Claims 34-41, 46-48 have been amended in the communication filed 11/13/07 entered as Response After Non-Final Action.
3. The claim for foreign priority and receipt of the certified copy in the Parent Application, U.S. Serial No. 09/107,986 with priority claimed to Japanese Patent Application No. 09-190716, filed July 1, 1997, and Japanese Patent Application no. 09-195408, filed July 22, 1997, as indicated in the Declaration has been indicated on the bibliographic sheet in the application file.
4. The claim objections for claims 35, 36, 38, and 41 have been overcome by Applicant's amendments to claims 35, 36, 38, and 41 and are hereby withdrawn.
5. The 35 USC 112, second paragraph rejections for claims 34 and 46-48 have been overcome by Applicants' amendments to claims 34 and 46-48 and are hereby withdrawn.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 34-41 and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,778,400) Tateno in view of (US 5,956,726) Aoyama et al, hereafter Aoyama.

Claim 34. Tateno discloses, A computer-implemented method for searching and displaying a structured document including performing an element designated full- text search o the structured document and highlighted displaying of information on a position of characters meeting a search result query in the structured document, the method comprising the steps of: generating an orignal analyzed structured document of a structured document to be searched (col. 4, lines 4-11).

Tateno failed to disclose, removing predefined elements from the original analyzed structured document, and concatenating content character of higher-rank elements and of the removed predefined elements to thereby generate a structured document for full-text search including the concatenated content character strings, generating information for restoring the removed predefined elements. Aoyama disclosed, removing predefined elements from the original analyzed structured document, and concatenating content character of higher-rank elements and of the removed predefined elements to thereby generate a structured document for full-text search including the concatenated content character strings, generating information for restoring the removed predefined elements (col. 3, lines 17-47).

Tateno discloses, acquiring information on a position of a character string meeting the search query in the structured document for full-text search (col. 9, line 54-col. 10, line 4); converting the information on the position of the character string meeting the search query on the structured document for the full-text search into information on a the position of the character string meeting the search query in the original analyzed structured document (col. 10, lines 5-25).

Tateno failed to disclose, adding element information for the highlighted displaying of the information on the position of the characters meeting the search .query, to the original analyzed structured document. Aoyama disclosed, adding element information for the highlighted displaying of the information on the position of the characters meeting the search .query, to the original analyzed structured document (col. 13, line 25-col. 14, line 9).

Tateno discloses, generating a text string of the structured document, from the analyzed structured document with the element information added thereto (col. 4, lines 20-33). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Aoyama in Tateno because such an incorporation would allow Tateno to have a structured document with embedded therein containing information on the logical structure of a document.

Claim 48, is rejected for the similar rationale as given above for claim 34.

Aoyama discloses a computer readable medium and program in col. 6, lines 31-48.

Claims 35. Tateno and Aoyama failed to disclose, A structured document searching and displaying method according to claim 34, wherein when the conditions are met for the relative positions of occurrence of two query terms in the search query, the respective query terms constituting the search query are displayed in highlighted text with different display formats from each other; Claim 36. A structured document searching and displaying method according to claim 34, wherein each of a plurality of query terms constituting the search query and the whole element including said query terms are displayed in highlighted text with different display formats; Claim 37. A structured

document searching and displaying method according to claim 34, wherein a highlighted display format for highlighted display is set using a method specified in said search.query; Claim 38. A structured document searching and displaying method according to claim 34, wherein the character string meeting the search query is displayed in highlighted text using any one of a plurality of highlight display formats for each query term; Claim 39. A structured document searching and displaying method according to claim 38, wherein the highlighted display format for each query term is determined based on occurrence frequency of each query term; and Claim 40. A structured document searching and displaying method according to claim 38, wherein the display format of highlighted display for each query term is determined based on the information weighting predetermined for each query term. It would have been obvious to one having ordinary skill in the art at the time of the invention to have the steps of claims 35-40 because structured documents and documents in SGML or HTML perform the steps for claims 35-40 and the links show in highlighted text in a display format for each query term.

Claim 41. Tateno failed to disclose. A structured document searching and displaying method according to claim 34, wherein said step of generating a text string includes a step of producing the text string el- corresponding to the sub-elements to be displayed, from sub-elements of the analyzed structured document Aoyama discloses, A structured document searching and displaying method according to claim 34, wherein said step of generating a text string includes a step of producing the text string el- corresponding to the sub-elements to be displayed, from sub-elements of the analyzed

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structured document (col. 8, lines 8-20 and col. 10, lines 1-28). It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Aoyama in Tateno because such an incorporation would allow Tateno to have a character string sandwiched by marks which is a logical structure (HTML (Hypertext Markup Language) which is used in WWW (World Wide Web) and an application of SGML.

Claim 46. This independent claim is rejected for the similar rationale as given above for claim 34.

Claim 47. This independent claim is rejected for the similar rationale as given for independent claims 34 and 46.

### **Inquiries**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741.

The examiner can normally be reached on Monday, Tuesday, and Thursday, 5:30AM-3:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Trammell James can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ella Colbert/  
Primary Examiner, Art Unit 3696

February 4, 2008



<b><i>Application Number</i></b> 	<b>Application/Control No.</b>	<b>Applicant(s)/Patent under Reexamination</b>	
	09/964,475	OKAMOTO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ella Colbert	3694	